

ERIN E. KIS,
*on behalf of herself and all others
similarly situated,*

VS.

Defendant.

OPINION & ORDER
[Resolving Doc. 152]

The parties in this FMLA labor case complain they have a discovery impasse. Plaintiffs complain that Defendant wrongfully: (i) withheld Defendant's CEO Sam Covelli from deposition, (ii) withheld policy documents, (iii) withheld training videos, and (iv) unnecessarily redacted nearly 1,200 documents.¹ The Court held a status conference yesterday, resolving the dispute as follows.

Plaintiffs indicated that they may be able to obtain the sought policy documents and training videos through pending third-party subpoenas. The Court defers ruling on the request for policy documents and training videos until the pending third-party subpoenas have been answered.

¹ Doc. 152. Defendant responds. Doc. 156.

redacted versions of any non-privileged documents. Defendant shall produce to the Court non-redacted versions of any privileged documents for *in camera* review, along with a detailed privilege log.

Plaintiffs shall refrain from publicly filing any Defendant-produced document marked as confidential without prior notice to Defendant.

Plaintiffs shall, no later than February 19, 2019, file a trial plan with the Court. That plan should—at a minimum—propose which issues the jury will decide.

IT IS SO ORDERED.

Dated: January 30, 2019

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE